

ALLEN CITY COUNCIL

REGULAR MEETING

NOVEMBER 27, 2018

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Robin L. Sedlacek

Baine Brooks

City Staff:

Peter H. Vargas, City Manager

Shelli Siemer, Assistant City Manager

Eric Ellwanger, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Peter G. Smith, City Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:31 p.m. on Tuesday, November 27, 2018, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Presentation Regarding Form Based Code Principles.**
- 2. Committee Updates from City Council Liaisons.**
- 3. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 7:02 p.m. on Tuesday, November 27, 2018.

Call to Order and Announce a Quorum is Present

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:06 p.m. on Tuesday, November 27, 2018, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizens' Comments.

Consent Agenda

MOTION: Upon a motion made by Councilmember Clemencich and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

2. Approve Minutes of the November 13, 2018, Regular City Council Meeting.

3. Adopt an Ordinance Amending the Code of Ordinances, Chapter 2, Section 2-6, 'Hotel Occupancy Tax Levied' Regarding the Regulations for the Imposition and Collection of Hotel Occupancy Tax.

ORDINANCE NO. 3628-11-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 2, SECTION 2-6, TO AMEND THE REGULATIONS FOR THE IMPOSITION AND COLLECTION OF HOTEL OCCUPANCY TAX; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Adopt an Ordinance Amending the Code of Ordinances, Chapter 13, Article III, 'Management of Public Rights-of-Way' Regarding the Use of Public Right-of-Way and Master Fee Schedule.

ORDINANCE NO. 3629-11-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13 "STREETS AND SIDEWALKS," ARTICLE III "MANAGEMENT OF PUBLIC RIGHTS-OF-WAY" REGARDING THE USE OF THE PUBLIC RIGHT-OF-WAYS WITHIN THE CITY; AMENDING THE MASTER FEE SCHEDULE TO AMEND THE FEES RELATED TO THE USE OF THE RIGHT-OF-WAY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); AND PROVIDING FOR AN EFFECTIVE DATE.

5. Authorize the City Manager to Execute a Local Project Advance Funding Agreement (LPAFA) with the State of Texas Acting By and Through the Texas Department of Transportation for Funding Intersection Improvements at Stacy Road and Greenville Avenue.

6. Award Bid and Authorize the City Manager to Execute a Contract for Enhanced Landscape Services with Carruthers Landscape Management in the Amount of \$209,980 with the Option for Two, One-Year Renewals.

7. Authorize the City Manager to Execute a Professional Services Agreement with Barker Rinker Seacat Architecture for the Preparation of a Feasibility Study for the Exchange Parkway Recreation Center in the Amount of \$154,873.

8. Motion to Cancel the December 25, 2018, City Council Meeting.

9. Receive the Summary of Property Tax Collections as of October 2018.

The motion carried.

Regular Agenda

10. Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of a Portion of Planned Development No. 53 Shopping Center and Adopt a Concept Plan and Building Elevations for the Property Generally Located West of Alma Drive and North of Exchange Parkway. [Acadian Office Park]

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

ORDINANCE NO. 3630-11-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS, AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 53 SHOPPING CENTER “SC” AND ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS RELATING TO THE DEVELOPMENT AND USE OF LOT 4, BLOCK A, KIDS R KIDS ADDITION; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Doherty and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3630-11-18, as previously captioned, to amend the Developmental Regulations of a portion of Tract 5 of Planned Development No. 53 Shopping Center and adopt Concept Plan and Building Elevations on Lot 4, Block A, Kids R Kids Addition. The motion carried.

11. Conduct a Public Hearing and Adopt an Ordinance to Establish a Planned Development Zoning District with a Base Zoning of Single-Family Residential "R-6" and Townhome Residential and Adopt a Concept Plan, Building Elevations, Screening Plan, and Development Regulations for 18.688± Acres Generally Located West of Watters Road and Both North and South of Ridgeview Drive. [Lexington Estates]

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

ORDINANCE NO. 3631-11-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF 18.688+/- ACRES OF LAND SITUATED IN THE J. SEABORN AND ROBERT T. CLEMENTS SURVEY, ABSTRACT NO. 879, PRESENTLY ZONED AS PLANNED DEVELOPMENT “PD” NO. 40 CORRIDOR COMMERCIAL “CC” AND

PLANNED DEVELOPMENT “PD” NO. 40 OFFICE “O” BY CHANGING THE ZONING TO CREATE PLANNED DEVELOPMENT “PD” NO. 137 FOR SINGLE-FAMILY USES WITH A BASE ZONING OF SINGLE FAMILY RESIDENTIAL “R-6” AND TOWNHOME RESIDENTIAL “TH”; ADOPTING A CONCEPT PLAN, BUILDING ELEVATIONS, AND SCREENING PLAN; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Sedlacek and a second by Councilmember Brooks, which after debate and amendment, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3631-11-18, as previously captioned, to establish a Planned Development zoning district with a bases zoning of Single-Family Residential “R-6” and Townhome Residential and adopt a Concept Plan, Amended Building Elevations Plan to include differentiations of brick on the back elevations of the townhomes, Screening Plan, and Development Regulations for Lexington Estates. The motion carried.

Other Business

12. Calendar.

- November 30 - Holly Jolly Celebration featuring the Annual Christmas Tree Lighting, North of the Allen Library, 5:00 p.m.
- December 1 - Rudolph Run, Downtown Allen, 8 a.m.
- December 2 - Annual Rotary Christmas Parade, Downtown Allen, 2 p.m.

13. Items of Interest.

- Council invited the community to attend the Kiwanis Pancake Breakfast with Santa that will be held Saturday, December 1 at the First Baptist Church in Allen starting at 7 a.m.
- The Allen Eagles playoff game is Saturday, December 1 against The Woodlands at 1 p.m. at McLane Stadium in Waco, Texas.
- Council recognized Boy Scouts from Troops 358 and 5320 in attendance as a requirement for earning a Merit Badge.

Executive Session

The Executive Session was not held.

14. Reconvene and Consider Action on Items Resulting from Executive Session.

Adjournment

MOTION: Upon a motion made by Councilmember Doherty and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 8:09 p.m. on Tuesday, November 27, 2018. The motion carried.

These minutes approved on the 11th day of December 2018.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY